



Entered on Docket
July 28, 2008

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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15 Attorneys for Secured Creditor WACHOVIA MORTGAGE, FSB, FKA WORLD SAVINGS
16 BANK, FSB, its successors and/or assigns

17 UNITED STATES BANKRUPTCY COURT
18 DISTRICT OF NEVADA

19 In re

20 LUCKY W. KNEESE AND DEBRA G.
21 KNEESE,

22 Debtor(s).

Bankruptcy Case No. 08-50193-mkn
Chapter 13

WACHOVIA MORTGAGE, FSB, FKA
WORLD SAVINGS BANK, FSB'S ORDER
TERMINATING AUTOMATIC STAY

Date: July 18, 2008
Time: 1:30 p.m.

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26 A hearing on Secured Creditor Wachovia Mortgage, FSB, fka World Savings Bank,
27 FSB's Motion for Relief From the Automatic Stay came on regularly for hearing in the United States
28 Bankruptcy Court before the Honorable Judge Mike K. Nakagawa.

1 The court having duly considered the papers and pleadings on file herein and being
2 fully advised thereon and finding cause therefor:

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

4 The automatic stay of 11 United States Code section 362 is hereby immediately
5 terminated as it applies to the enforcement by Movant of all of its rights in the real property under
6 the Note and Deed of Trust encumbering the real property commonly known as 7333 Warhol Drive,
7 Sun Valley, Nevada 89433 ("Real Property"), which is legally described as:

8 SEE LEGAL DESCRIPTION ATTACHED HERETO
9 AS EXHIBIT A AND MADE A PART HEREOF.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon entry of this
11 Order, the Trustee shall cease payment on Secured Creditor's Proof of Claim. Secured Creditor's
12 Proof of Claim is allowed in the amount of payments made to date by the Trustee.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon disposition
14 of the Real Property, Secured Creditor may amend said Proof of Claim and share in any distribution
15 from the date of the filing of the amended Claim pursuant to the confirmed Plan.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Trustee is not
17 required to recover previous distributions from other creditors for distribution on Secured Creditor's
18 amended claim. This may result in a percentage of payment on Secured Creditor's amended Claim
19 different than to other creditors.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may offer
21 and provide Debtor with information re: a potential Forbearance Agreement, Loan Modification,
22 Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such
23 agreement with Debtor. However, Movant may not enforce, or threaten to enforce, any personal
24 liability against Debtor if Debtor's personal liability is discharged in this bankruptcy case.

25 APPROVED/DISAPPROVE

26
27 WILLIAM A. VAN METER
28 TRUSTEE

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

- ☐ The court has waived the requirement of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

- ☒ Approved. - Trustee
- ☐ Disapproved. - Debtor(s)' Attorney/Trustee
- ☐ Failed to respond. - Trustee

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Submitted by:

/s/ Elsie L. Secoquian
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Attorney for WACHOVIA MORTGAGE, FSB, FKA WORLD SAVINGS BANK, FSB
its successors and/or assigns

EXHIBIT "A"
Legal Description

Lot 48, of STONE CREST PHASE 2, according to the map thereof No. 3496, filed in the office of the County Recorder of Washoe County, State of Nevada, on February 5, 1998 as File No. 2177066, of Official Records.

APN: 508-360-04

Order Number: 00139468-BM

